



**IT IS ORDERED as set forth below:**

**Date: August 8, 2017**

*Wendy L. Hagenau*

**Wendy L. Hagenau  
U.S. Bankruptcy Court Judge**

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE:	)	CASE NO. 17-59277-WLH
	)	
DIANE LASHELL WRIGHT,	)	CHAPTER 13
<i>aka</i> DIANE LASHELL ROBINSON,	)	
	)	JUDGE WENDY L. HAGENAU
Debtor.	)	
	)	
DIANE LASHELL WRIGHT,	)	
	)	
Movant,	)	CONTESTED MATTER
v.	)	
	)	
CALIBER HOME LOANS, INC.,	)	
	)	
Respondent.	)	

**CONSENT ORDER ON DEBTOR'S MOTION TO DETERMINE SECURED STATUS  
OF CLAIM OF JUNIOR LIEN HOLDER CALIBER HOME LOANS, INC.**

The above matter came before the Court on August 2, 2017 upon Debtor's *Motion to Determine Secured Status of Claim of Junior Lien Holder Caliber Home Loans, Inc.* (the "Motion"). Debtor seeks a determination that the second priority lien held by Respondent on Debtor's property located at 6885 Cainwood Drive, Atlanta, Georgia, 30349, in Fulton County

(the “Property”) is completely unsecured because, based upon the Property’s value and the amount of the first-priority mortgage, there is no equity in the Property to which the second lien can attach. Based upon the consent of the parties, it is hereby

**ORDERED** that Debtor’s Motion is granted as provided herein.

**FURTHER ORDERED** that, for purposes of the Debtor’s chapter 13 case, any allowed proof of claim filed by Respondent arising out of the lien described herein shall be treated as a general non-priority unsecured claim.

**FURTHER ORDERED** that, effective upon entry of discharge in the Debtor’s Chapter 13 case, the lien of Respondent evidenced by a security deed recorded in the Superior Court of Fulton County shall be avoided without further order pursuant to 11 U.S.C. §§ 506(a), 506(d) and 1322(b)(2) provided, however, that the Court reserves jurisdiction to consider if appropriate the avoidance of Respondent’s mortgage lien prior to entry of a discharge under 11 U.S.C. § 1328(a). In the event the Debtor’s case is dismissed or converted to chapter 7, the lien of Respondent shall not be affected by this Order in accordance with 11 U.S.C. § 349(b)(1)(C) or 348(f)(1)(B) as applicable.

It is **FURTHER ORDERED** that, within sixty (60) days after the entry of this Order, Debtor’s counsel may file a certified copy of this Order in the real property records of the county in which the Property is located.

It is **FURTHER ORDERED** that, within sixty (60) days of the entry of the Debtor’s discharge in this Chapter 13 case, Debtor shall cause a certified copy of the order granting the discharge to be filed in the real property records of the county in which the Property is located.

**### END OF ORDER ###**

Prepared by,

No opposition by,

/s/

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/s/

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Chapter 13 Trustee  
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Consented to by,

/s/

Abbey Ulsh Dreher  
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#### **DISTRIBUTION LIST**

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